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ORDINANCE AMENDMENT REVIEW SHEET

CASE NUMBER: C20-2013-002 Neighborhood Plan Amendment Procedures

PC PUBLIC HEARING DATE: August 13, 2013

NEIGHBORHOOD PLANNING SUBCOMMITTEE: February 15, 2012; March 21, 2012; May 16, 2012; December 19, 2012; March 20, 2013

PROPOSED AMENDMENT: Amend Chapter 25-1 of the City of Austin Land Development code to change the requirements for neighborhood plan amendment procedures.

The suggested changes are as follows:

25-1-704 (A) (FEE WAIVERS)

Add paragraph (30) Neighborhood Plan Amendment Fee, to fee waiver list for S.M.A.R.T. Housing development

25-1-804 (A) (APPLICATION TO AMEND NEIGHBORHOOD PLAN)

- Specify in paragraph (3) that the applicant has to submit a completed application to staff, not just information, for any proposed change to the future land use map.*
- Specify in paragraph (4) that the applicant has to submit a completed application to staff, not just information, for any proposed text change to a neighborhood plan.*

25-1-804 (C) (APPLICATION TO AMEND NEIGHBORHOOD PLAN)

For an application regarding an individual property:

- In subparagraph (3)(c) Replace the word Section with 'Subsection'.*
- Denote in paragraph (4) that an application regarding an individual property may be filed at any time by the Planning Commission, subject to Criteria for Initiating Certain Applications.*

25-1-804 (E) (APPLICATION TO AMEND NEIGHBORHOOD PLAN)

For an area-wide or subdistrict-wide application:

- Clarify that only applications meeting the thresholds described may be accepted*
- Clarify in paragraph (1) that each neighborhood contact team can submit an area-wide or subdistrict-wide amendment application 2 years after the adoption of the plan.*
- Clarify in paragraph (2) that a neighborhood plan contact team is allowed to submit a subdistrict-wide or area-wide application every 2 years;*
- Denote in paragraph (3) that an application may be filed at any time by the Planning Commission, subject to Criteria for Initiating Certain Applications.*

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25-1-808 PLANNING COMMISSION PUBLIC HEARING AND RECOMMENDATION

- Replace the term "Land Use Commission" with "Planning Commission."
- Under Subsection (D) replace the word Section, with 'Subsection.'

25-1-809 CITY COUNCIL HEARING AND RECOMMENDATION

- Replace the term "Land Use Commission" with "Planning Commission." Under paragraph (B) replace the word Section with 'Subsection.'

25-1-812 FEE WAIVERS

Add new Section 25-1-812 to explain that the director may not collect an application fee for an amendment initiated by a neighborhood plan contact team.

25-1-813 CRITERIA FOR INITIATING CERTAIN APPLICATIONS

Add new Section 25-1-813 to specify the criteria under which the Planning Commission may initiate a property specific or area-wide application outside of the regular amendment cycle. The Criteria include:

- (A) the application must address an issue that threatens public health, safety, or welfare; or
- (B) prohibiting the filing would prevent reasonable use of the property or create a hardship unique to the property, and the development proposed by the applicant will not adversely affect public health, safety and welfare; or
- (C) a clerical error regarding the designated use of the subject property exists on the future land use map of the neighborhood plan or in the text of the plan; or
- (D) the project is not subject to current City environmental regulations, but is proposed to be developed under current environmental regulations; or
- (E) the project promotes the recruitment or retention of an employment center with 100 or more employees; or
- (F) the project is a SMART Housing certified project in which at least 40 percent of proposed units are affordable (as specified under 25-1-703.)

BACKGROUND: The ordinance to establish and codify a procedure for neighborhood plan amendments was adopted in March 2003. Since then, there have been three revisions to the neighborhood plan amendment provisions of the City Code, including the addition of Article 16, Neighborhood Plan Amendments to Chapter 25-1 of the City Code. Staff is recommending additional changes to Article 16 to reorganize, clarify and improve the neighborhood plan amendment procedures.

This proposed amendment was discussed at the January 17, 2012 meeting of the Codes and Ordinances Committee and the February 15, March 21, and May 16, 2012 meetings of the Neighborhood Plan Committee. Based on discussion at those meetings, the proposal was modified to no longer include the removal of provisions related to the timing of amendments and to no longer include the addition of a provision that would have allowed the Director to propose an amendment out of cycle. On December 19, 2012, the Neighborhood Plan Subcommittee recommended initiation of this code amendment, and on January 22, 2013 the Planning Commission voted to initiate this potential code amendment. On March 20, 2013 the Neighborhood Plan Subcommittee reviewed the proposed ordinance language and voted to recommend the code amendment to the Planning Commission for consideration with three minor modifications.

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Purpose for Proposed Changes

25-1-704 (A) (FEE WAIVERS)

S.M.A.R.T. Housing developments are exempt from 29 other City of Austin fees. Additionally staff has not charged Neighborhood Plan Amendment Fees for this type of development in the past.

25-1-804 (A) (APPLICATION TO AMEND NEIGHBORHOOD PLAN)

These proposed changes will inform an applicant that they need to submit a completed application for map and text amendments instead of just information to staff to facilitate the timely review and process of a neighborhood plan amendment application.

25-1-804 (C) (APPLICATION TO AMEND NEIGHBORHOOD PLAN)

The proposed revision would clarify that an application initiated by the Planning Commission pertaining to an individual property may be filed at any time in accordance with Section 25-1-813.

25-1-804 (E) (APPLICATION TO AMEND NEIGHBORHOOD PLAN)

Revising this subsection will clarify that each planning area can request an area-wide or subdistrict wide application ever 2 years after the adoption of the plan. This change would allow each planning area to have its own submittal timeline that is not linked with any other combined planning area. This section will further clarify that a neighborhood plan contact team is allowed to submit a subdistrict wide or area wide application every 2 years. The other proposed revision would clarify that an area-wide or subdistrict-wide application initiated by the Planning Commission may be filed at any time in accordance with Section 25-1-813.

25-1-808 PLANNING COMMISSION PUBLIC HEARING AND RECOMMENDATION

Replacement of the term 'Land Use Commission' with 'Planning Commission' would clarify who is the review body of neighborhood plan amendments.

25-1-809 CITY COUNCIL HEARING AND RECOMMENDATION

Replacement of the term 'Land Use Commission' with 'Planning Commission' would clarify who is the review body of neighborhood plan amendments.

25-1-812 FEE WAIVERS

Specifying that the director may not collect an application fee from a neighborhood contact team codifies the accepted practice of not requiring contact teams to submit an application fee for neighborhood plan amendments.

25-1-813 CRITERIA FOR INITIATING CERTAIN APPLICATIONS

Addition of criteria specifies the limited circumstances under which the Planning Commission may initiate individual property and area-wide plan amendments outside of the normal amendment cycle.

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STAFF RECOMMENDATION: Staff recommends approval of the proposed code amendment.

ORDINANCE READINGS:

1st TBD

2nd TBD

3rd TBD

ORDINANCE NUMBER: TBD

CITY STAFF: Stevie Greathouse, Planning and Development Review Department

PHONE: 974-7226

EMAIL: stevie.greathouse@austintexas.org

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ORDINANCE NO. _____

AN ORDINANCE AMENDING CHAPTER 25-1 (GENERAL REQUIREMENTS AND PROCEDURES) OF THE CITY CODE RELATING TO WAIVING FEES FOR NEIGHBORHOOD PLAN AMENDMENTS.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

PART 1. Subsection 25-1-704(A) (*Fee Waivers*) of the City Code is amended to read:

(A) The director may, in accordance with Subsection (B), waive all or a portion of the following fees, as set by the City's annual fee ordinance, for a S.M.A.R.T. Housing development:

(1) Public Works Construction Inspection Fee;

(2) Watershed Protection and Development Review - Development Assessment Fee;

(3) Watershed Protection and Development Review - Traffic Impact Analysis Fee;

(4) Watershed Protection and Development Review - Traffic Impact Analysis Revision Fee;

(5) Regular Zoning Fee;

(6) Interim to Permanent Zoning Fee;

(7) Miscellaneous Zoning Fee;

(8) Zoning Verification Letter Fee;

(9) Board of Adjustment Fee;

(10) Managed Growth Agreement Fee;

(11) Planned Development Area Fee;

(12) Preliminary Subdivision Fee;

(13) Final Subdivision Fee;

(14) Final Without Preliminary Subdivision Fee;

(15) Miscellaneous Subdivision Fee;

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- (16) Consolidated Site Plan Fee;
- (17) Miscellaneous Site Plan Fee;
- (18) Site Plan Revision Fee;
- (19) Site Plan - Construction Element Fee;
- (20) Building Review Plan Fee;
- (21) Building Permit Fee;
- (22) Electric Permit Fee;
- (23) Mechanical Permit Fee;
- (24) Plumbing Permit Fee;
- (25) Concrete Permit Fee;
- (26) Demolition Permit Fee;
- (27) Electric Service Inspection Fee;
- (28) Move House Onto Lot Fee; ~~[and]~~
- (29) Move House Onto City Right-of-Way Fee; and
- (30) Neighborhood Plan Amendment Fee.

PART 2. Section 25-1-804 (*Application to Amend Neighborhood Plan*) of the City Code is amended to read:

§ 25-1-804 APPLICATION TO AMEND NEIGHBORHOOD PLAN.

(A) A pre-application meeting between the director's staff and an applicant is required before the applicant may submit an application to amend a neighborhood plan to the director. At the meeting:

- (1) the staff shall describe the application process to the applicant;
- (2) the applicant shall describe the proposed neighborhood plan amendment to the staff;
- (3) if the applicant is proposing a change to the future land use map, the applicant shall provide a completed application with ~~[the staff with information regarding]~~ the proposed change, including the address,

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boundaries, acreage, current and proposed future land use map categories, and current and proposed uses; and

- (4) if the applicant is proposing a text change, the applicant shall provide a completed application with the proposed language and an explanation of the change.

(B) For an application regarding an individual property, except as provided in Subsection (C):

- (1) the director may accept an application to amend a neighborhood plan not earlier than one year after the adoption of the plan;
- (2) after the one year anniversary of a plan adoption, the director may accept an application to amend a plan recommendation relating to an individual property not more frequently than once every 12 months; and
- (3) an application may be filed only during the month established by the director under Section 25-1-811 (*Map; Filing Dates*), unless:
 - (a) the application is submitted by a neighborhood plan contact team for the planning area in which the property is located; or
 - (b) a neighborhood plan contact team for the planning area in which the property is located has given written approval of the application.
- (4) An applicant may not file an application for an amendment that is substantially the same as an application denied by council until one year after the council action denying the prior application.

(C) The director may accept an application regarding an individual property at a time other than as provided in Subsection (B) if the director determines that:

- (1) prohibiting the filing would result in a hardship to the applicant, and the development proposed by the applicant will not adversely affect public health, safety, and welfare;
- (2) a clerical error regarding the designated use of the subject property exists on the future land use map of the neighborhood plan or in the text of the plan;
- (3) the person submitting the application has received a letter from the director of the appropriate City department stating that the project:

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- (a) is not subject to current City environmental regulations, but is proposed to be developed under current City environmental regulations;
 - (b) promotes the recruitment or retention of an employment center with 100 or more employees; or
 - (c) is a S.M.A.R.T. Housing certified project in which at least 40 percent of the proposed units are reasonably priced as provided in Subsections [Sections] 25-1-703 (C) and (D) (Program Requirements); [or]
- (4) the Planning Commission has initiated the application in accordance with Section 25-1-813 (Criteria for Initiating Certain Applications); or
- (5) council has initiated the application.
- (E) For an area-wide or subdistrict-wide application, the director may only accept an application in the following situations:
- (1) the director may accept an application initiated by a neighborhood plan contact team [to amend a neighborhood plan] not earlier than two years after the adoption of the plan;
 - (2) the director may accept an application initiated by a neighborhood plan contact team not earlier than two years after the most recent council action on an amendment initiated by a neighborhood plan contact team for the same neighborhood plan area [the plan]; [and]
 - (3) an application initiated by the Planning Commission may be filed at any time in accordance with Section 25-1-813 (Criteria for Initiating Certain Applications); and
 - (4) an application initiated by council may be filed at any time.

PART 3. Section 25-1-808 (*Land Use Commission Public Hearing and Recommendation*) of the City Code is amended to read:

§ 25-1-808 PLANNING [LAND-USE] COMMISSION PUBLIC HEARING AND RECOMMENDATION.

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- (A) The Planning [~~Land Use~~] Commission shall hold a public hearing on a neighborhood plan amendment application not later than the 90th day after the date the application is filed.
- (B) The Planning [~~Land Use~~] Commission shall make a recommendation to the council on a neighborhood plan amendment application not later than the 14th day after the Planning [~~Land Use~~] Commission closes the public hearing on the application.
- (C) If the Planning [~~Land Use~~] Commission does not adopt a recommendation on an application, the director [~~Director~~] shall forward the application to council without a Planning [~~Land Use~~] Commission recommendation.
- (D) If the Planning [~~Land Use~~] Commission does not hold a public hearing in accordance with Subsection (A), the applicant may file a written request for a hearing as prescribed in Subsection [~~Section~~] 25-2-282(E).
- (E) The d[~~D~~]irector shall report the Planning [~~Land Use~~] Commission's recommendation on each neighborhood plan amendment application to the council.

PART 4. Section 25-1-809 (*City Council Hearing and Recommendation*) of the City Code is amended to read:

§ 25-1-809 CITY COUNCIL HEARING AND RECOMMENDATION.

- (A) The council shall hold a public hearing on a neighborhood plan amendment application not later than the 40th day after the date of the Planning [~~Land Use~~] Commission recommendation.
- (B) Subsection [~~Section~~] 25-2-283(C) shall apply to requests for postponement of the public hearing on a neighborhood plan amendment application.

PART 5. A new Section 25-1-812 is added to the City Code to read:

§ 25-1-812 FEE WAIVERS.

The director may not collect an application fee for a neighborhood plan amendment initiated by a neighborhood plan contact team.

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**Attachment (8/6/2013):
C20-2013-002, Neighborhood Plan Amendment Procedures
Public Comments Received Since 7/9/2013**

Background: During the public hearing on 7/9/2013, six people representing 4 Neighborhood Plan Contact Teams addressed the Planning Commission. Each of the six indicated that their Contact Team was concerned with the code changes being recommended because of the proposal to allow the Planning Commission to initiate out of cycle neighborhood plan amendments.

At the close of the public hearing on 7/9/2013, the Planning Commission approved a motion to postpone discussion on the proposed code amendments until August 13, 2013. Planning Commission directed staff to solicit additional feedback from Neighborhood Plan Contact Teams.

Staff sent an announcement out to Contact Teams via e-mail on July 18, 2013 soliciting feedback. Staff has received specific additional comments via e-mail from representatives of 7 Neighborhood Plan Contact Teams and/or other neighborhood groups. The comments that have been received are included in this attachment.

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Brentwood Neighborhood Planning Contact Team

Serving Our Neighborhood from 45th St. to Justin Lane and North Lamar to Burnet Road

To: Planning Commission

Subject: Neighborhood Plan Amendment procedures

Case Number: C20-2013-002

Date: July 29, 2013

The Brentwood Neighborhood Planning Contact Team (BNPCT) held an e-vote in accordance with our bylaws to consider proposed changes to Neighborhood Plan Amendment procedures. After careful consideration of the proposed changes, our Team voted unanimously to make the following recommendation concerning some of the language in the proposed ordinance change:

We recommend that PART 2. Subsection 25-1-804(C)(4)&(E)(3), & all of PART 6. Subsection 25-1-813 of the proposed ordinance should be deleted.

We respectfully ask that these parts of the proposed ordinance, which would allow the Planning Commission to bring a Neighborhood Plan Amendment forward "out of cycle" under certain conditions, be deleted for the following reasons:

- 1) These sections create a confusing and unnecessary redundancy in the ordinance because the Director already has the ability to consider a Plan Amendment "out of cycle" if it meets the same certain criteria proposed in PART 6. 25-1-813.
- 2) We believe that these particular proposed changes are arbitrary, did not originate with the Planning Commission itself, and are not based on any demonstrable Planning Commission or community need.
- 3) The proposed changes provide no benefit to Neighborhood Plan Stake Holders.
- 4) This Team wishes to support the Austin Neighborhood Council leadership in their opposition to these proposed changes to the ordinance.

Sincerely,

Richard Brock

BNPCT Chair

(512) 458-3677

richbrock@grandecom.net

Hyde Park Contact Team
Austin, Texas

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August 1, 2013

City of Austin Planning Commission

Re: Plan Amendment Ordinance, C20-2013-002

Dear Commissioners,

The Hyde Park Contact Team voted on July 22 to urge that you not recommend to give the Planning Commission authority to initiate Plan Amendments out of cycle as proposed in the Plan Amendment Ordinance, C20-2013-002 (Specifically Part 2, items C4 & E3).

We feel that the Contact Team is the legitimate stakeholder group when it comes to Plan Amendments, not the Planning Commission. Plan Amendments out of cycle fair much better with the stakeholder group (i.e. Contact Team) involved in the process from the beginning.

The Hyde Park Contact Team has successfully negotiated plan and zoning changes with entities when they contact us early in their planning process. We prefer to maintain that process rather than to have changes to our neighborhood plan initiated by the Planning Commission. We believe this change to the process would discourage the positive process we have been experiencing when the applicant is instructed by staff to contact the neighborhood very early. If applicants are going to be told by staff they have a choice, to contact the Neighborhood Contact Team or the Planning Commission, the opportunity for positive collaboration with the neighborhood stakeholders may be lost.

We appreciate your consideration of our perspective.



Karen McGraw AIA
Chair, Hyde Park Contact Team
4315 Avenue C
Austin, Texas 78751
512-917-1761
mcgrawka@earthlink.net



Lianna K. Mills
Co-Secretary
Hyde Park Contact Team

CANPAC

Central Austin Neighborhoods Planning Area Committee

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August 6th, 2013

To: City of Austin Planning Commission

From: The Plan Team for the Central Austin Neighborhoods Area Plan (CANPAC)

Regarding: Proposal to amend the Neighborhood Plan Amendment Procedure C20-2013-002

We appreciate your postponement of the above item to allow the neighborhoods to have more time to consider the proposal. At its regular meeting on June 18, 2013, CANPAC, the Central Austin Neighborhood Contact Team voted to adopt the following statement:

Regarding the Plan Amendment Ordinance, we believe early communication between an applicant and the contact team benefits all parties. We are asking that the Planning Commission reject and delete the new wording for E3, which would give the Planning Commission the authority as a stakeholder to initiate Plan Amendments out of cycle; E3 also references the criteria, Part 6 25-1-183 which should also be removed.

Potentially sidestepping a contact team by having an applicant work directly with the planning commissioners could result in projects that are a poor fit for neighborhoods and lacking in support.

The current requirements for out of cycle plan amendments have in several instances brought applicants and us together to devise mutually benefiting solutions. It is our hope that the Plan Amendment Ordinance will continue to require that interaction for out of cycle plan amendments.

Thank you for your consideration of this recommendation.

Nuria Zaragoza and Adam Stephens,

Co-Chairs, CANPAC Plan Team

CANPAC MEMBERS

Eastwoods Association, Hancock Neighborhood Association, Heritage Neighborhood Association, North University Neighborhood Association, Shoal Crest Neighborhood Association, West University Neighborhood Association, and University Area Partners

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From: Meredith Morningstar [REDACTED]
Sent: Tuesday, July 23, 2013 1:38 PM
To: Greathouse, Stevie
Cc: Teresa Reel
Subject: LDCode

Hello Stevie,
I'm Meredith Morningstar, chair of Coronado Hills Contact Team.
Our neighborhood is opposed to the changes in the Land Development Code.
Please add our message to the feedback you are compiling.
Contact me if you like.
Thank you, Meredith Morningstar

From: Chair North Lamar contact team [REDACTED]
Sent: Friday, July 19, 2013 8:18 AM
To: Greathouse, Stevie
Subject: Re: Two Contact Team Announcements for you!

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I finally got around to watching the video from Planning Commission on this. I know you came in late in this process, but I was a little surprised to hear you say that you didn't have comment from other contact teams, other than the phone call you mentioned. I think it is very likely that other contact teams, like us, provided a written response early in the process and so believe that staff has our position.

The speakers July 9 raised two issues: 1.) the Planning Commission initiating amendments, and 2.) amendments being initiated out of cycle.

I think if you look back to the earlier comments from contact teams, in writing and at the committee meeting (and maybe also an online survey?), you'll see _blanket_ opposition to out of cycle amendments. So I think you do have broader-based information on that issue.

Thank you for your attention.

Lisa Hinely
Chair, North Lamar/Georgian Acres neighborhood plan contact team
<http://nlct.wordpress.com/>

Message from Stevie Greathouse, Principal Planner, Comprehensive Planning Division and Carol Haywood, Comprehensive Planning Division Manager regarding the proposed amendment to the Land Development Code.

Neighborhood Contact Teams,

At their meeting on July 9, 2013, the Planning Commission discussed a proposal to amend the Land Development Code to allow Planning Commission to initiate out of cycle amendments to neighborhood plans in certain limited circumstances. Based on the limitations prescribed by the proposed language, and based on the Planning Director's historically infrequent utilization of similar authority, it is anticipated that the Planning Commission would only rarely initiate out of cycle amendments. We previously provided courtesy notification to all contact teams summarizing the proposal. The previous notification, including the full text of the proposal, is attached to this message.

Five contact team representatives spoke on behalf of three contact teams at the meeting on July 9 indicating concern about granting this authority to the Planning Commission. The Planning Commission voted to postpone their decision on the proposed code amendment in order to allow opportunity for additional input and discussion. The Planning Commission will continue their discussion of this proposal at a meeting that begins at 6 pm on August 13, 2013. Planning Commission meets in the Council Chamber of Austin City Hall. If your Contact Team has additional input on the proposal, you can provide your comments in writing to staff via e-mail or mail prior to August 7, 2013, and we will compile any additional comments and provide them to the Planning Commission.

From: Reilly, Francis
Sent: Monday, July 29, 2013 1:03 PM
To: Greathouse, Stevie
Subject: FW: Planning commissioners
Attachments: Planning Comm mod to Neighborhood Planning.PNG

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Hi Stevie,

Was this part of the clean-up amendment? Thanks!

Francis

From: Joan Owens [REDACTED]
Sent: Monday, July 29, 2013 9:40 AM
To: Dave.Anderson@austintexas.gov; Lazarus, Howard; Jeff.Jack@austintexas.gov; Myron.Smith@austintexas.gov; Jean.Stevens@austintexas.gov; Danette.Chimenti@austintexas.gov; James.Nortey@austintexas.gov; Richard.Hatfield@austintexas.gov; Stephen.Oliver@austintexas.gov; Alfonso.Hernandez@austintexas.gov; Brian.Roark@austintexas.gov
Subject: Planning commissioners

Commissioners,
I have been very active over the past months in the development of the South Austin Combined Neighborhood Plan.

I have recently learned that there is a proposal before the commissioners that would allow the Planning Commission in the future to modify Neighborhood Plans without community involvement. The residents of the Neighborhoods have spent considerable time developing these Plans and getting them approved by City Council. The particular item that I am referring to is embedded in:

C20-2013-002 Neighborhood Plan Amendment Procedures Section E (3).

(3) States: "an application initiated by the Planning Commission may be filed any time in accordance with Section 25-1-813 (Criteria for Initiating Certain Applications); and"

I object to this change and ask you Commissioners to have this stricken from the amendment. If passed it would allow Planning Commission to override the intent of the neighbors who developed the Neighborhood Plan.

Thank you for your consideration.

Phyllis Joan Owens
Southwood Neighborhood
(512) 447-3115
(512) 461-3318 cell

From: Anguiano, Dora
Sent: Tuesday, August 06, 2013 10:44 AM
To: Greathouse, Stevie
Subject: FW: Opposition to revision application process

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From: Joan Bartz [REDACTED]
Sent: Tuesday, August 06, 2013 8:43 AM
To: Anguiano, Dora
Subject: FW: Opposition to revision application process

From: Joan Bartz [REDACTED]
Sent: Tuesday, August 06, 2013 8:41 AM
To: 'bc-Jean.Stevens@Austintexas.gov'; 'bc-Dave.Anderson@austintexas.gov'; 'bc-James.Nortey@austintexas.gov'; 'bc-Myron.Smith@austintexas.gov'; 'bc-Stephen.Oliver@austintexas.gov'; 'bc-Danette.Chimentl@austintexas.gov'; 'bc-Alfonso.Hernandez@austintexas.gov'; 'bc-Brian.Roark@austintexas.gov'; 'bc-Jeff.Jack@austintexas.gov'; 'mnrghatfield@yahoo.com'; 'anguiano-dora.angulano@austintexas.gov'
Subject: Opposliton to revision application process

August 6, 2013

Planning Commission Chairman Dave Anderson and Commission members:

1) The University Hills Neighborhood Association does not support the proposed change of Section 25-1-804 (Application to Amend Neighborhood Plan), Section (E) (3) which allows "an application initiated by the Planning Commission may be filed at any time in accordance with Section 25-1-813 (Criteria for Initiating Certain Applications).

The present application to amend a neighborhood plan limits Neighborhood Groups/Contact Teams to specific time constraints. Conversely, this proposed amendment gives the Planning Commission carte blanche to alter neighborhood plans at any time apparently without input from Contact Teams now charged with maintaining the intent and purpose of approved neighborhood plans.

This effectively will cancel Contact Team / Community involvement in planning matters needed to preserve the culture of a given neighborhood. It also will make a mockery of the pretense that a community's knowledge of an area's future and planning needs takes precedence over control actions by the Planning Commission as indicated by the proposed revision action.

2) Additionally, the UHNA does not support Section (B) of Section 25-1-813 (Criteria for Initiating Certain Applications) which references "prohibiting the

filing would prevent reasonable use of the property or would create a hardship which is unique to the property and not generally characteristic of the area in which the property is located, and the development proposed by the applicant will not adversely affect public health, safety, and welfare."

Because this provision's purpose already is addressed under the auspices of the Board of Adjustments, approval of this proposed revision will only result in possible conflict between two City of Austin entities resulting in less assistance to the citizens caused by this "plowing of the same ground" technique.

Respectively,

Vera Givens, President

University Hills Neighborhood Association

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Anguiano, Dora

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From: Carol Lee <[REDACTED]@gmail.com>
Sent: Thursday, August 01, 2013 10:51 AM
To: Anderson, Dave - BC; Hernandez, Alfonso - BC; Stevens, Jean - BC; Chimenti, Danette - BC; Jack, Jeff - BC; Nortey, James - BC; Oliver, Stephen - BC; Roark, Brian - BC; Smith, Myron - BC
Cc: Anguiano, Dora
Subject: Plan Amendment Ordinance C20-2013-002

Planning Commission Members,

Since many of the member neighborhoods of the Austin Neighborhoods Council would be impacted by the Plan Amendment Ordinance, C20-2013-002, the ANC Executive Committee voted to oppose **Part 2, E3**, the new language that would authorize the Planning Commission to initiate plan amendments out of cycle. We recognize the value in keeping the contact team as the legitimate stakeholder group in the plan amendment process. Conceptually, we also recognize that the Planning Commission is a reviewing body, a filter for land use matters on their way to the City Council; initiating neighborhood land use changes/plan amendments would be outside the current responsibilities for this commission.

Ms. Anguiano, I would appreciate you including this communication in the Planning Commission backup material, especially since there is no email contact listed for Commissioner Hatfield on the Planning Commission membership webpage.

Thank you for consideration of this input.

Sincerely,
Carol Lee
ANC President
president@ancweb.org